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**CERTIFICATE OF MAILING**

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Donna L. Hengst

*Donna R. Hengst*

Attorney Docket No. 22477-712

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application	)	<u>PATENT APPLICATION</u>
	)	
Inventor(s): Eric Lietz	)	
	)	Art Unit: 1653
Application No.: 10/069,442	)	
	)	Examiner: Unassigned
Filed: June 28, 2002	)	
	)	
Title Random Mutagenesis And Amplification	)	
	)	

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Listed below or on an attached Form PTO-1449 is information known to applicant(s). A copy of each listed publication and U.S. and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

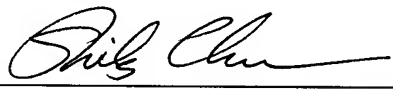
This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

- ☒ This statement qualifies under 37 C.F.R. §1.97, subsection (b) because (check all that apply):
- ☐ (1) It is being filed within 3 months of the application filing date and is other than a continued prosecution application under § 1.53(d)  
-- OR --
- ☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --
- ☒ (3) It is being filed before the mail date of the first Office Action on the merits  
-- OR --
- ☐ (4) It is being filed before the mailing of a first Office Action after the filing of a request for continued examination under § 1.114.
- ☐ 37 C.F.R. §1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in §1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but before the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, then:
- ☐ a certification as specified in §1.97(e) is provided below; **or**
- ☐ a fee of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. §1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under §1.113 or a notice of allowance under §1.311, but before payment of the issue fee, then:
- A. a certification as specified in §1.97(e) is completed below; and
- B. a petition under 37 C.F.R. §1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$130.00 as set forth in §1.17(i)(1) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ **Fee Authorization.** The Commissioner is hereby authorized to charge the above-referenced fees of \$0 and charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 23-2415 (Docket No. 22477-712).

Respectfully submitted,

WILSON SONSINI GOODRICH & ROSATI

Dated: Sept. 12, 2002

By:   
Shirley Chen, Ph.D., Reg. No. 44,608

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<b>INFORMATION DISCLOSURE CITATION</b>  <b>PTO-1449</b>		ATTY. DOCKET NO. 22477-712		SERIAL NO. 10/069,442			
		APPLICANT Eric Lietz					
		FILING DATE June 28, 2002		GROUP 1653			
<b>U.S. PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE	
<b>FOREIGN PATENT DOCUMENTS</b>							
EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	EP 0466 083	01/15/92	Europe			<input type="checkbox"/>	<input type="checkbox"/>
	WO 91/15581	10/17/91	PCT			<input type="checkbox"/>	<input type="checkbox"/>
	WO 98/42832	10/01/98	PCT			<input type="checkbox"/>	<input type="checkbox"/>
	WO 00/24932	05/04/00	PCT			<input type="checkbox"/>	<input type="checkbox"/>
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>							
Daru Young-Sharp et al., "Site-Directed Mutagenesis Using Three Primers And Diagnostic RFLPs in a Single-Step Polymerase Chain Reaction," Technique-, vol. 2, no. 3, June 1990, pages 155-162, XP-002155548.							
Wataru Ito et al., "A General Method For Introducing a Series of Mutations Into Cloned DNA Using the Polymerase Chain Reaction", Gene, vol. 102, no. 1, 1991, pages 67-70, XP000303855.							
Database Biosis 'Online! Biosciences Information Service, Philadelphia, PA, US; 1991, Drutsa V L et al, "Efficient Method For Site-Directed Mutagenesis of Plasmids and Cloning of Single-Stranded DNA Fragments" XP002155550, ABTRACT.							
Michael Mingfu Ling et al., "Approaches to DNA Mutagenesis: An Overview" vol. 254, no. 2, XP-000955621, December 15, 1997, pages 157-178.							
Olfert Landt et al., "A General Method For Rapid Site-Directed Mutagenesis Using The Polymerase Chain Reaction", Gene vol. 96, 1990, XP-002155549, pages 125-128.							
Robert M. Horton et al., "Engineering Hybrid Genes Without the Use of restriction Enzymes: Gene Splicing by Overlap Extension" Gene, vol. 77, 1989, XP-002090392, pages 61-68.							
GE L et al., "Simultaneous Introduction of Multiple Mutations Using Overlap Extension PCR", Biotechniques, US, vol. 22, no. 1, January 1997, pages 28, 30, XP 000676361.							
Gerald F. Joyce et al, "A Novel Techique For The Rapid Preparation of Mutant RNAs", Nucleic Acids Research, vol. 17, no. 2, January 25, 1998, pages 711-722, XP000007446.							
Arnold R. Oliphant et al., "An Efficient Method For Generating Proteins With Altered Enzymatic Properties Application to Beta Lactamase", Proc. Natl. Acad. Sci., vol. 87, December 1989, XP-002155555, pages 9094-9098.							
EXAMINER				DATE CONSIDERED			

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.